

## Health and Human Services

302.101

### HHS PURCHASE CARD TRAINING PROGRAM, BY AUTHORITY LEVEL—Continued

Authority <sup>a</sup>	Program participant	Required training <sup>b</sup>
\$3,001 to \$25,000 .....	Prospective/newly appointed purchase cardholders and Approving Officials.	<ul style="list-style-type: none"> <li>• Basic purchase card training (HHS University course or an equivalent).</li> <li>• Basic simplified acquisition procedures (e.g., DAU's CON 237).</li> <li>• Advanced simplified acquisition procedures or Appropriations law.</li> </ul>
\$25,001 to \$100,000 .....	Purchase card holders and Approving Officials ... Prospective/newly appointed purchase cardholders and Approving Officials.	Yearly refresher purchase card training. <ul style="list-style-type: none"> <li>• Basic purchase card training (HHS University course or an OPDIV equivalent course).</li> <li>• Basic simplified acquisition procedures (e.g., DAU's CON 237).</li> <li>• Advanced simplified acquisition procedures or Appropriations law.</li> <li>• CON 100 (Shaping Smart Business Arrangements).</li> <li>• CON 110 (Mission Support Planning).</li> </ul>
Not applicable .....	Purchase cardholders and Approving Officials .... Prospective/newly appointed Agency/Organization Program Coordinators.	Yearly refresher purchase card training. <ul style="list-style-type: none"> <li>• Basic purchase card training (HHS University course or an OPDIV equivalent course).</li> <li>• Basic simplified acquisition procedures or DAU's CON 237.</li> <li>• Advanced simplified acquisition procedures or appropriations law.</li> <li>• CON 100 (Shaping Smart Business Arrangements).</li> <li>• CON 110 (Mission Support Planning).</li> </ul>
	Agency/Organization Program Coordinators .....	Yearly refresher purchase card training (attendance at GSA's annual training conference satisfies refresher training).

<sup>a</sup> Cardholders and Approving Officials with authorized increases in delegation of procurement authority (DPA) have up to 3 months to complete the training requirements for the new DPA.

<sup>b</sup> CON 237, CON 100, and CON 110 are available at the DAU Web site at <http://www.dau.mil/registrar/enroll.asp>. CON 100 is also offered through HHS University (see Web site at: <http://learning.hhs.gov>).

## PART 302—DEFINITIONS OF WORDS AND TERMS

### Subpart 302.1—Definitions

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### Subpart 302.2—Definitions Clause

302.201 Contract clause.

### Subpart 302.70—Common HHSAR Acronyms and Abbreviations

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### Subpart 302.71—HHS Standard Templates and Formats

302.7100 HHS standard templates and formats

AUTHORITY: 5 U.S.C. 301; 40 U.S.C. 486(c).

SOURCE: 74 FR 62398, Nov. 27, 2009, unless otherwise noted.

## Subpart 302.1—Definitions

### 302.101 Definitions.

(a) *Agency head* or *head of the Agency*, unless otherwise stated, means the head of the OPDIV for: AHRQ; CDC; CMS; FDA; HRSA; IHS; NIH; SAMHSA; and ASFR for the Office of the Secretary (OS), including PSC. The Assistant Secretary for Preparedness and Response (ASPR) is the head of the agency for BARDA contracting functions.

(b) *Chief of the Contracting Office* is typically a mid-level management official, usually an office director, division director, or branch chief, who manages and monitors the daily contract operations of an OPDIV or major component of an OPDIV. The CCO is subordinate to the HCA, except where the same individual is the HCA and CCO.

(c) *Contracting Officer's Technical Representative* is a Federal employee whom a Contracting Officer has designated in writing to act as the Contracting Officer's representative in monitoring and administering specified aspects of contractor performance *after* award of a

contract or order that exceeds the simplified acquisition threshold. (*Note:* In accordance with local procedures, OPDIVs may designate COTRs for contracts or orders estimated to be less than the simplified acquisition threshold.) These activities may include verifying that:

(1) The contractor's performance meets the standards set forth in the contract;

(2) The contractor meets the contract/order's technical requirements by the specified delivery date(s) or within the period of performance; and

(3) The contractor performs within the fixed price or cost ceiling stated in the contract or order. COTRs must meet the training and certification requirements specified in 301.604.

(d) *Head of the contracting activity* is an official who has overall responsibility for managing a contracting activity—i.e., the organization within an OPDIV or other HHS organization which has been delegated broad authority regarding the conduct of acquisition functions.

(1) The HHS HCAs are as follows:

AHRQ: Director, Division of Contracts Management.

ASPR: Director, Office of Acquisitions Management, Contracts and Grants.

CDC: Director, Procurement and Grants Office.

CMS: Director, Office of Acquisition and Grants Management.

FDA: Director, Office of Acquisitions and Grant Services.

HRSA: Director, Office of Acquisition Management and Policy.

IHS: Director, Division of Acquisition Policy.

NIH: Director, Office of Acquisition and Logistics Management.

PSC: Director, Strategic Acquisition Service.

SAMHSA: Director, Division of Contracts Management.

(2) Each HCA shall conduct an effective and efficient acquisition program; establish adequate controls to ensure compliance with applicable laws, regulations, procedures, and the dictates of good management practices; and conduct periodic reviews to evaluate and determine the extent of adherence to prescribed policies and regulations and the need for guidance and training.

(3) HCAs may redelegate their authorities to the extent that redelega-

tion is not prohibited by the terms of their respective delegations of authority, by law, by the *FAR*, by the HHSAR, or by other regulations. To ensure proper control of redelegated acquisition authorities, HCAs shall maintain a file containing successive delegations of HCA authority through the Contracting Officer level.

(e) *Program Manager* is a federal employee whom an OPDIV official or designee one level above the head of the sponsoring program office has designated in writing to act as a Program Manager for a group of related major or non-major IT or construction capital investments—see HHS' PPM Handbook. See also Appendix D, Relationship between Program Management and Project Management, of OFFP memorandum entitled "The Federal Acquisition Certification for Program and Project Managers," dated April 25, 2007. Program Managers must meet the FAC-PPM certification requirements in 301.607. A Program Manager may also be delegated authority to act as the COTR for a major or non-major IT or construction capital investment—see 301.604.

(f) *Project Manager* is a federal employee whom a head of the sponsoring program office (Program Manager) or designee has designated in writing to act as a Project Manager for a major or non-major IT or construction capital investment—see HHS' PPM Handbook. See also Appendix D, Relationship between Program Management and Project Management, of OFFP memorandum entitled "The Federal Acquisition Certification for Program and Project Managers," dated April 25, 2007. Project Managers must meet the FAC-PPM certification requirements in 301.607. A Project Manager may also be delegated authority to act as the COTR for a major or non-major IT or construction capital investment—see 301.604.

(g) *Project Officer* is a Federal employee whom a head of the sponsoring program office (Program Manager) or designee has designated in writing to act as a Project Officer and provide guidance, information, and assistance to the Contracting Officer for all technical aspects of a proposed project before award of a contract or order that is

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estimated to exceed the simplified acquisition threshold. (Note: In accordance with local procedures, OPDIVs may designate Project Officers for contracts or orders estimated to be less than the simplified acquisition threshold.) Project Officers must meet the training requirements in 301.606. Project Officers are often delegated authority to also act as the COTR on a contract or order—see 301.604.

[74 FR 62398, Nov. 27, 2009, as amended at 75 FR 21510, Apr. 26, 2010]

### Subpart 302.2—Definitions Clause

#### 302.201 Contract clause.

The Contracting Officer shall insert the clause in *FAR 52.202-1*, Definitions, in solicitations and contracts, except as cited below. This is an authorized FAR deviation.

(a) In accordance with *FAR 52.202-1(a)(1)*, the Contracting Officer shall insert paragraph (a) in *352.202-1* in place of paragraph (a) of the *FAR* clause.

(b) In accordance with *FAR 52.202-1(a)(1)*, the Contracting Officer shall insert paragraph (b), or its alternate in *352.202-1*, to the end of the *FAR* clause. The Contracting Officer shall insert paragraph (b) when a fixed-priced con-

tract is contemplated and the alternate to paragraph (b) when a cost-reimbursement contract is contemplated.

### Subpart 302.70—Common HHSAR Acronyms and Abbreviations

#### 302.7000 Common HHSAR acronyms and abbreviations.

(a) The HHSAR cites numerous acquisition-related and organizational acronyms and abbreviations. Each of these is established where first cited in the text, following the use of the unabbreviated term, and are used in subsequent subparts of that part or any other part of the HHSAR.

(b) The table below cites, for reference purposes, the most commonly used acronyms and abbreviations—*i.e.*, those that have applicability to *multiple* parts of the HHSAR, and where they are first cited. They are listed alphabetically. The HHSAR also contains other acronyms and abbreviations, which because they are cited only in *one* HHSAR part, subpart, section, or in reference to a particular topic, are not listed in the table. An example is DCIS (Departmental Contracts Information System) cited in subpart 304.602.

Acronym/abbreviation	Term	Where first cited in the HHSAR
A & E .....	Architect and engineer (contracts) .....	304.803–70(b).
AHRQ .....	Agency for Healthcare Research and Quality .....	301.270(b).
AP .....	Acquisition Plan .....	301.606–71.
ASFR .....	Assistant Secretary for Financial Resources (in OS) .....	301.103(b).
ASPR/OAMCG .....	Assistant Secretary for Preparedness and Response, Office of Acquisitions Management, Contracts and Grants.	301.270(b).
Associate DAS for Acquisition ..	Associate Deputy Assistant Secretary for Acquisition (in OS/ASFR/OGAPA/DA).	301.270(a).
BPA or BPAs .....	Blanket Purchase Agreement(s) .....	301.603–70(b).
CA .....	Competition Advocate .....	306.202(a).
CAO .....	Chief Acquisition Officer (for HHS) .....	301.603–72(a)(4).
CCO .....	Chief of the Contracting Office .....	301.602–3(b)(3).
CDC .....	Centers for Disease Control and Prevention .....	301.270(b).
CFR .....	Code of Federal Regulations .....	301.103(c).
CIO .....	Chief Information Officer (for HHS) .....	301.607–73(a).
CMS .....	Centers for Medicare and Medicaid Services .....	301.270(b).
COTR .....	Contracting Officer's Technical Representative .....	301.604–70.
D&F .....	Determination and Findings .....	306.202(b)(1).
DA .....	Division of Acquisition (in ASFR) in OS .....	301.270(b).
DASFMF .....	Deputy Assistant Secretary for Facilities Management and Policy.	301.607–73(a).
DAS/GAPA .....	Deputy Assistant Secretary for Grants and Acquisition Policy and Accountability.	309.403.
EIT .....	Electronic information technology .....	301.603–73(e).
EVM .....	Earned value management .....	301.603–73(a).
FAR .....	Federal Acquisition Regulation .....	301.101(a).
FDA .....	Food and Drug Administration .....	301.270(b).
FedBizOpps .....	Federal Business Opportunities .....	305.205(a).
FSS .....	Federal Supply Schedule .....	304.803–70(b).
GLD .....	General Law Division (typically referred to with "OGC") .....	301.602–3(c)(5).
GSA .....	General Services Administration .....	304.803–70(b).

Acronym/abbreviation	Term	Where first cited in the HHSAR
GWAC	Government-wide acquisition contract	304.803–70(b).
HCA	Head of the Contracting Activity	301.470(a).
HHS	(Department of) Health and Human Services	301.101(a).
HHSAR	Health and Human Services Acquisition Regulation	301.101(a).
HRSA	Health Resources and Services Administration	301.270(b).
HUBZone	Historically Underutilized Business Zone	305.205(a)(2).
IDIQ	indefinite-delivery, indefinite-quantity (contract type)	301.603–70(b).
IHS	Indian Health Service	301.270(b).
IT	information technology	301.604–74(a).
JOFOC	Justification for Other than Full and Open Competition	306.303–1(b)(1).
NIH	National Institutes of Health	301.270(b).
OCIO	Office of the Chief Information Officer (for HHS)	301.603–73(a).
OFMP	Office of Facilities Management and Policy (for HHS)	301.603–73(a).
OGAPA	Office of Grants and Acquisition Policy and Accountability	301.270(b).
OGC	Office of the General Counsel	301.602–3(c)(5).
OIG	Office of the Inspector General	303.104–7(a)(2)(i).
OMB	Office of Management and Budget	301.106.
OPDIV	Operating Division	301.603–73(a).
OS	Office of the Secretary	302.101(a).
OSDBU	Office of Small and Disadvantaged Business Utilization (in OS)	307.104(a)(4).
Pub. L.	Public Law	304.604.
PWS	performance work statement (typically cited with SOW)	304.1300(c).
PSC	Program Support Center (in OS)	301.270(b).
R&D	research and development	301.607–72(b).
RFI	Request for Information	305.205(a).
SAMHSA	Substance Abuse and Mental Health Services Administration	301.270(b).
SBS	Small Business Specialist (in OSDBU)	307.104(a)(4).
SF	Standard Form	301.603–1(b).
SOW	statement of work [inclusive of specification(s)] and typically cited with PWS.	304.1300(c).
SPE	Senior Procurement Executive— <i>i.e.</i> , Associate DAS for Acquisition.	301.603–71.
STAFFDIV	Staff Division (in OS)	311.7001(b).

[74 FR 62398, Nov. 27, 2009, as amended at 75 FR 21510, Apr. 26, 2010]

### Subpart 302.71—HHS Standard Templates and Formats

#### 302.7100 HHS standard templates and formats.

HHS has developed standard templates and formats for preparation of

various acquisition documents, reports, and plans. The templates and formats, which contain instructions for their completion, may be accessed on the ASFR/OGAPA/DA Internet Web site. A complete listing of the standard templates and formats and where they are referenced in the text are cited in the table below:

Title of template/format	HHSAR reference
Acquisition Plan	307.7103.
Acquisition Plan Waiver Request	307.7101(b)(2).
Acquisition Strategy	307.104–70.
Annual Acquisition Plan	307.104(a)(5).
Competition Advocate Report	306.502(b).
Contract File Checklists	304.803–70.
FedBizOpps R & D Sources Sought Notice	305.205(a)(3).
FedBizOpps Request for Information	315.201(e)(4).
FedBizOpps Small Business Sources Sought Notice	319.202–2(a)(3).
FedBizOpps Sources Sought Notice	310.001(a)(3)(iv).
Justification for Other than Full and Open Competition	306.303–1(b)(1).
Limited Source Justification	308.405–6(g)(1)(i).
Request for Information	315.201(e)(4).